(5)

SINGLE BENCH

CF-1002

IN THE HIGH COURT OF JUDICATURE AT BILASPUR, CHHATTISGARH

Writ Petition No(S) 4273 of 2006

PETITIONER:

Raja Ram Lakra,
S/o Sani Ram Lakra,
Aged about 32 years,
Occupation: Service,
Presently working as Lab. Assistant in Govt. Higher Secondary School, Batouli,
Permanent resident of Post: Jamgaon, District: Surguja, Chhattisgarh.

P.R. No. 4331/26 Presented by Shri F.S. Sahu dated 31/8/06

- Versus -

RESPONDENTS:

1. State of Chhattisgarh,
Through the Secretary,
Tribal Welfare Department,
Mantralaya, D.K.S. Bhawan,
Raipur, Chhattisgarh.

2. Assistant Commissioner,
Tribal Development,
Ambikapur, District: Surguja,
Chhattisgarh.

3. Collector, District: Surguja,
Chhattisgarh.

4. Principal,
Govt. Higher Secondary School, Batouli,
District: Surguja, Chhattisgarh.

5. Baijnath Ram,
Assistant Teacher,
Primary School, Girjapur,
Shankargarh, District: Surguja,
Chhattisgarh.

RECEIVED-COPY 8/8/06 CLERK to A. G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRIT/WRITS, DIRECTIONS ETC., IN THE NATURE OF MANDAMUS, CERTIORARI AND/OR ANY OTHER SUITABLE WRIT OF LIKE NATURE

(32)

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ...W.P.4273/... **सन् 2006**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

14-8-2006

Mr. V.C. Ottalwar, counsel for the petitioner.

Mr. Sumesh Bajaj, Goverrment Advocate for the State/respondents No.1 to 4, on advance copy.

Heard both the counsel.

By the instant writ petition under Article 226/227 of the Constitution of India, the petitioner has challenged his transfer order dated 7-7-2006 (Annexure P-3) passed by respondent No.3, whereby the petitioner has been transferred showing him as Hostel Superintendent from Govt. Higher Secondary School, Batouli to Primary School, Resra Odgi.

Main grievance of the petitioner is that his substantive post is Lab. Assistant and while working as Lab. Assistant in Higher Secondary School, Batouli, the Principal, gave him additional charge of Hostel Superintendent and in the transfer list, he has been wrongly shown as Hostel Superintendent. Moreover, he has been transferred to Primary School, Resra Odgi where there is no post of Lab. Assistant.

In the circumstances, learned counsel for the petitioner submits that the petitioner may be allowed to make a detailed representation to respondent No.3 for bringing out this anomaly to his notice and respondent No.3 be directed to decide the same, to which learned counsel appearing for the State/respondents No.1 to 4 has no objection.

Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and without expressing any opinion on the merits of the case, the prayer made by learned counsel for the

P.T.O.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.4273/ **सन् 2006**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Soma	petitioner is just, fair and reasonable. Therefore, the petitioner is allowed to make a detailed representation annexing a copy of this writ petition and its annexures to respondent No.3 within 10 days from today and in turn, respondent No.3 is directed to decide the representation of the petitioner within a period of 30 days from the date of its receipt, after considering the objections raised by the petitioner in an objective manner, in accordance with law. In the mean time, till the representation of the petitioner is decided, the effect and operation of the impugned order dated 7-7-2006 in respect of the petitioner is stayed. With the directions aforesaid, the petition stands disposed of. Consequently, M.(W.)P.No.3315/2006 also stands disposed of. Parties are entitled for certified copy of this order. Sd/- L.C.Bhadoo Judge	

P.T.O.